

REMARKS

Claims 1-14 and 25 are canceled without prejudice to their continued prosecution in a continuation and/or divisional application.

New claims 26-46 are fully supported by canceled claims 1-14 and 25 and by the description in the specification (e.g., page 22, line 17 to page 23, line 11; page 33, line 21 to page 35, line 28; etc.).

No new matter has been added. Upon entry of this Response, claims 26-46 are present and active in the application.

Previously Filed Information Disclosure Statements

The Form PTO-1449 submitted with Applicants' Information Disclosure Statement dated October 24, 2003 and the Form PTO-1449 submitted with Applicants' First Supplemental Information Disclosure Statement dated July 9, 2004 were processed and returned by the Office with the Office Action mailed on July 27, 2006.

It has come to Applicants' recent attention that although the Examiner signed and dated the signature blocks on the bottom of these forms, the leftmost boxes adjacent the individual citations were not initialed as required by MPEP 609.05(b).

Thus, to ensure that all citations identified on these previously submitted forms will be printed on any patent that may issue from the present application, Applicants respectfully request that the Examiner kindly initial each of the listed citations for the record.

Claim Rejections – 35 U.S.C. § 112, Second Paragraph

The rejection of claims 1-14 and 25 under 35 U.S.C. § 112, second paragraph, as being unclear for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention has been rendered moot by the cancellation without prejudice of these claims. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

The rejection of claims 1-14 and 25 under 35 U.S.C. § 102(b) as being anticipated by *Chupp et al.* (U.S. Patent No. 5,631,165) has been rendered moot by the cancellation without prejudice of these claims. Accordingly, withdrawal of this ground of rejection is respectfully requested.

New Claims

Each of new independent claims 26, 35, 40, 45, and 46 recite elements configured for "an acidic solution" that is neither taught nor suggested by *Chupp et al.* Although the Examiner has previously indicated that Applicants' recitations with respect to the "acidic solution" cannot be accorded patentable weight unless the acidic solution itself is positively recited (as it is in new independent claim 46), Applicants respectfully request reconsideration of this position.

As noted in MPEP 2111.04 and in various precedent, whether or not phrases such as "adapted to," "adapted for," and the like limit the scope of claims in which they appear is a highly fact specific determination. In the present context, Applicants respectfully submit that the recitations of various elements with respect to the recited "acidic solution" convey sufficient structure as to be afforded patentable weight. As before, Applicants respectfully draw attention to MPEP 2173.05(g), which states:

A functional limitation must be evaluated and considered, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used. A functional limitation is often used in association with an element...to define a particular capability or purpose that is served by the recited element.

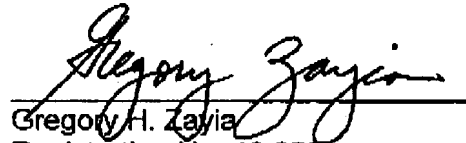
Conclusion

In view of the Amendment and Remarks set forth above, Applicants respectfully submit that the claimed invention is in condition for allowance. Early notification to such effect is earnestly solicited.

If for any reason the Examiner feels that the above Amendment and Remarks do not put the claims in condition to be allowed, and that a discussion would be helpful to

advance prosecution, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,



Gregory H. Zayia
Registration No. 48,059
Agent for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200